

**UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT**

READYCAP LENDING, LLC,  
Plaintiff,

v.

CARL R. SAYERS, et al.,  
Defendants.

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CIVIL ACTION NO.  
3:13-CV-886 (JCH)

APRIL 2, 2015

**ORDER AND JUDGMENT OF STRICT FORECLOSURE**

Based on the record before it, this court finds that the value of the property described in Schedule A of the Mortgage (i.e., "All that certain real property, situated in the City of Danbury, County of Fairfield and State of Connecticut, being shown and designated on a certain map entitled 'Map Prepared for Estate of Senta Sayers Danbury, Connecticut' dated December 16, 2004 made by New England Land Surveying, P.C., and on file in the Danbury Town Clerk's Office as Map No. 12125") is \$450,000, which is less than the debt owed by CARL R. SAYERS and SUZANNE P. SAYERS to READYCAP LENDING, LLC. The court finds that the judgment debt as of April 1, 2015, is \$1,907,540.63. Accordingly, after judgment against Carl and Suzanne Sayers, this court orders a judgment of strict foreclosure against the defendants.

In addition to the debt owing to the plaintiff by the defendant, the court awards the following costs:

(1) Appraisal fee, \$2,000.00 and (2) Attorneys' fees, \$83,789.79,<sup>1</sup> for a total of \$85,789.79.

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<sup>1</sup> This includes the fees submitted by Attorney Arnone and part of the fees submitted by Attorney Sweeney. The court reduces the attorney's fees in one respect. Specifically, the court reduces the

The total judgment awarded, therefore, is \$1,993,330.42. A judgment of strict foreclosure shall enter forthwith in favor of ReadyCap Lending, LLC. A law day in favor of Carl and Suzanne Sayers shall be set for July 1, 2015, following which defendants Carl and Suzanne Sayers shall have no further rights or claims, whether at law or in equity, in or to the Property, and shall forthwith surrender the same to ReadyCap Lending, LLC, and, upon their failure to do so, an order of ejectment may summarily issue.

Consequently, and as a result of the foregoing, absent redemption of the property by Carl and Suzanne Sayers pursuant to the terms hereof, full and absolute title in and to the Property shall vest in ReadyCap Lending, LLC, on July 2, 2015.

Assuming that a motion for deficiency judgment is filed by July 23, 2015, the hearing thereof shall be set for September 8, 2015 at 10:00 a.m., in U.S. District Court, Courtroom 1, 141 Church Street, New Haven, Connecticut.

**SO ORDERED.**

Dated at New Haven, Connecticut this 2nd day of April, 2015.

/s/ Janet C. Hall  
Janet C. Hall  
United States District Judge

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former plaintiff's attorney's fees by \$3,552.72 because he did not submit a corresponding invoice. Paragraph 5 of the Affidavit indicates that Exhibit 8 contains such an invoice, but Exhibit 8 is a duplicate of Exhibit 9.

The court also notes that the former plaintiff's attorney represented that he gave his client a 10% discount on his hourly rate. *See Sweeney Aff. (Doc. No. 113) ¶ 8.* Unlike the rest of the invoices submitted, Exhibit 3 to his Affidavit does not include such a discount. However, that invoice reflects that more than 10% of the time recorded was not billed. Therefore, the court does not reduce the fee shown on Exhibit 3.